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COMMITTEE AGAINST TORTURE

Eighteenth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 298th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 9 May 1997, at 3.30 p.m.

Chairman: Mr. DIPANDA MOUELLE

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* The summary record of the first part (closed) of the meeting appears as document CAT/C/SR.298.

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The public part of the meeting was called to order at 3.30 p.m.

ORGANIZATIONAL AND OTHER MATTERS (continued)

1. Mr. BRUNI (Secretary of the Committee), referring to the work of the next session, said that, in addition to the six State party reports it had to consider, the Committee might have the report of Israel, if it was submitted, but it would not have the report of Guatemala.

2. Mr. PIKIS said that a country rapporteur and an alternate were still to be appointed for Israel if its report was to be considered at the next session. In view of the relatively lengthy procedure involved in submitting a State party report, the matter could not wait, since the Committee would not meet again before its autumn session.

3. The CHAIRMAN said it was his understanding that the Committee wished to appoint the country rapporteur for Israel during the inter-sessional period, in case the State party failed to submit its report.

4. It was so decided.

5. Mr. SORENSEN said he thought that the General Assembly would decide to declare 26 June 1998, the eleventh anniversary of the entry into force of the Convention against Torture, a day of remembrance of torture victims and suggested that the Committee should participate in that event. Its members might do so individually, by organizing activities in their own countries, or as a whole - for example, by setting up an exhibition on torture outside the Committee's meeting room or by asking the next High Commissioner for Human Rights to schedule a public lecture on the topic. His own country, Denmark, had already decided to commemorate the occasion with a speech by the Minister for Foreign Affairs and the establishment of a prize and planned to schedule additional events during 1998. He offered to prepare some suggestions for the Committee's consideration.

6. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to give the matter further consideration at its November session.

7. It was so decided.

ANNUAL REPORT OF THE COMMITTEE ON ITS ACTIVITIES (agenda item 9) (CAT/C/CRP.1 and Add.1-8)

8. The CHAIRMAN invited the Committee to take up the adoption of the annual report.

9. Mr. BRUNI (Secretary of the Committee), introducing the report in the absence of the Rapporteur, Mrs. Iliopoulos-Strangas, said that items left blank would be filled in later by the secretariat and that some portions of the report were available for the moment in English, French or Spanish only.

Chapter I - Organizational and other matters (CAT/C/XVIII/CRP.1)

10. Mr. SORENSEN said he assumed that the Committee wanted him to continue as its observer in the inter-sessional open-ended working group of the Commission on Human Rights on the question of a draft optional protocol to the Convention (para. 11).

11. The CHAIRMAN confirmed that assumption.

12. Document CAT/C/XVIII/CRP.1 was adopted.

Chapter II - Action by the General Assembly at its fifty-first session (CAT/C/XVIII/CRP.1/Add.1)

Chapter III - Submission of reports by States parties under article 19 of the Convention (CAT/C/XVIII/CRP.1/Add.2)

Chapter IV - Consideration of reports submitted by States parties under article 19 of the Convention (CAT/C/XVIII/CRP.1/Add.3)

13. Documents CAT/C/XVIII/CRP.1/Add.1, 2 and 3 were adopted.

Chapter IV - Consideration of reports submitted by States parties under article 19 of the Convention (CAT/C/XVIII/CRP.1/Add.4)

14. Mr. BRUNI (Secretary of the Committee) explained that the section of chapter IV devoted to the consideration of the periodic report of Israel would be added by the secretariat at a later date.

15. Mr. BURNS said that, since the Committee had agreed that the Committee's recommendations concerning the practice of solitary confinement in Denmark and Sweden should be identical, its recommendations on the periodic report of Denmark (para. 62) should be amended to include the French equivalent of the words "inter alia", as used in the Committee's recommendations on the periodic report of Sweden (para. 101).

16. Mr. BRUNI (Secretary of the Committee) suggested that the French text of paragraph 62 should be amended to read: "Sauf dans des cas exceptionnels, notamment ceux où la sécurité ...".

17. Mr. ZUPANCIC said that the wording chosen should correspond to a formula which, in continental criminal law, was referred to as "analogia inter leges", which meant "and in similar cases" and was used when no precise definition was possible.

18. Mr. SORENSEN said the important thing was for the two English texts to be identical and to include the words "inter alia".

19. Document CAT/C/XVIII/CRP.1/Add.4 as amended, was adopted.

Chapter V - Activities of the Committee under article 20 of the Convention (CAT/C/XVIII/CRP.1/Add.5)

20. Document CAT/C/XVIII/CRP.1/Add.5 was adopted.

Chapter VI - Consideration of communications under article 22 of the Convention (CAT/C/XVIII/CRP.1/Add.6/Parts I and II)

21. Mr. BRUNI (Secretary of the Committee) said that, since the Committee had only just completed its consideration of communications under article 22, part II would be added at a later date.

22. Documents CAT/C/XVIII/CRP.1/Add.6/Parts I and II were adopted.

Chapters VII and VIII - Future meetings of the Committee and adoption of the annual report of the Committee (CAT/C/XVIII/CRP.1/Add.7)

23. Mr. SORENSEN said that paragraph 7 should be amended to reflect the Committee's decision to request the Secretary-General to provide ad hoc funding for the May 1998 session and that the footnote to paragraph 4 should be moved to paragraph 3.

24. Document CAT/C/XVIII/CRP.1/Add.7, as amended, was adopted.

Annexes (CAT/C/XVIII/CRP.1/Add.8)

25. Mr. BRUNI (Secretary of the Committee) said that the text of annex V would be added at a later date.

26. Document CAT/C/XVIII/CRP.1/Add.8 was adopted.

27. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft annual report as a whole.

28. It was so decided.

CLOSURE OF THE SESSION

29. After the customary exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 4.20 p.m.